

A. G. Contract No. KR920171TRN
ECS File: JPA 92-22
Project: N-900-549/H 3058 01C
Section: Kartchner Caverns State Pk.

INTERAGENCY AGREEMENT
BETWEEN
THE ARIZONA DEPARTMENT OF TRANSPORTATION
AND
THE ARIZONA STATE PARKS BOARD

THIS AGREEMENT is entered into 9 March, 1992,
pursuant to Arizona Revised Statutes, Sections 11-951 through
11-954, as amended, between the STATE OF ARIZONA, acting by and
through its DEPARTMENT OF TRANSPORTATION (the "ADOT") and the
ARIZONA STATE PARKS BOARD, acting by and through its Executive
Director (the "Parks Board").

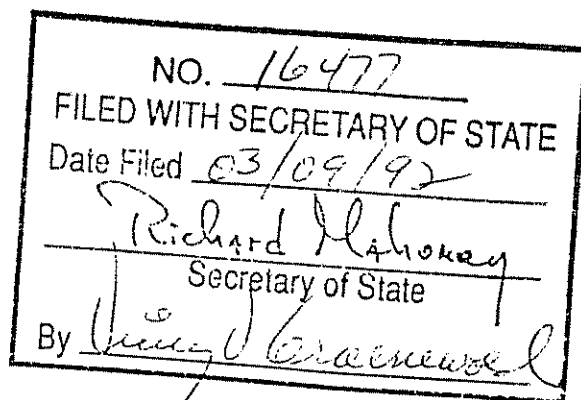
I. RECITALS

1. The ADOT is empowered by Arizona Revised Statutes
Section 28-108 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has delegated
to the undersigned the authority to execute this agreement on
behalf of the ADOT.

2. The Parks Board is empowered by Arizona Revised
Statutes Section 41-511.05 to enter into this agreement and has
by resolution No. 114, a copy of which is attached hereto and
made a part hereof, resolved to enter into this agreement and
has authorized the undersigned to execute this agreement on
behalf of the Parks Board.

3. The ADOT and the Parks Board desire to construct
improvements to Kartchner Caverns State Park, including the
construction of new left and right turn lanes on State Route
90, and new park interior roads, at an estimated cost of
\$1,920,000.00, all at ADOT expense, hereinafter referred to as
the Project.

THEREFORE, in consideration of the mutual agreements expressed
herein, it is agreed as follows:



II. SCOPE OF WORK

1. According to ADOT standards and specifications, and at its own cost, ADOT shall design, call for bids and award one or more construction contracts for the Project, administer same and make all payments to the contractor. ADOT shall be responsible for any contractor claims for extra compensation.

a. The improvements include, but are not limited to, new left and right turn lanes on State Route 90, and new park interior roads.

b. The estimated cost of these improvements is \$1,920,000.00.

2. ADOT may acquire in the name of the Parks Board additional rights of way as may be required for the Project, and, the Parks Board hereby authorizes ADOT to condemn rights of way in the name of the Parks Board, as necessary to accomplish said acquisition(s). The Parks Board shall accept any right of way for the Project acquired by ADOT as part of the State Parks system.

3. The Parks Board shall provide information to support the development and construction of the Project and necessary permits allowing for the contemplated construction.

4. Upon completion and acceptance by ADOT, maintenance and operation of the interior park roads shall be the sole responsibility of the Parks Board. ADOT will provide maintenance to State Route 90 improvements.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said Project; provided, however, that this agreement, except any provisions herein for maintenance, which shall be perpetual, may be cancelled at any time prior to the award of a construction contract, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518 (B) and (C).

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

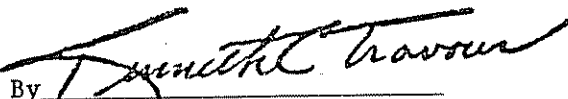
Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Mail Drop 616E
Phoenix, AZ 85007

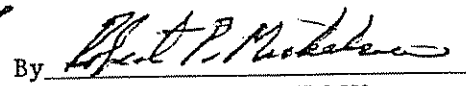
Arizona State Parks Board
Capital Development Manager
800 West Washington Street Suite 415
Phoenix, AZ 85007

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

STATE OF ARIZONA
State Parks Board

STATE OF ARIZONA
Department of Transportation

By 
KEN TRAVOUS
Executive Director


By 
ROBERT P. MICKELSON
Deputy State Engineer

JPA 92-22

RESOLUTION

BE IT RESOLVED on this 23rd day of January 1992, that I, CHARLES E. COWAN, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with Arizona State Parks Board for the purpose of defining responsibilities for the design, construction and maintenance of roadway improvements to Kartchner Caverns State Park and SR-90.

Therefore, authorization is hereby granted to draft said agreements which, upon completion, shall be submitted for approval and execution by the Deputy State Engineer.


Per _____
CHARLES E. COWAN
Director

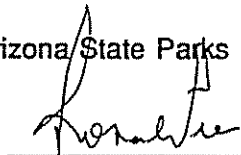
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RESOLUTION NO. 114
By the Arizona State Parks Board
Authorizing the Execution of the Intergovernmental
Agreement with the
Department of Transportation

Under powers granted to the Arizona State Parks Board by ARS 41-511.05, BE IT RESOLVED on this 20th day of September 1991, that THE ARIZONA STATE PARKS BOARD determines it is in the best interest of the State of Arizona to enter into an Interagency Agreement with the ARIZONA DEPARTMENT OF TRANSPORTATION wherein the ARIZONA DEPARTMENT OF TRANSPORTATION will improve various areas within Kartchner Caverns State Park including, but not limited to, drainage easements, construction easements, road rights-of-way, and the acquisition of such lands in the name of the Parks Board where necessary to accomplish such improvements. The Board designates as public highways the roads, spurs, and other traffic related appurtenances within Kartchner Caverns State Park for the purpose of constructing improvements under the Interagency Agreement, Project N-900-549 (TRACS H3058 01C).

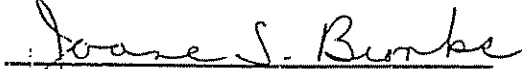
THEREFORE, authorization is hereby given to The Arizona State Parks Board Executive Director, or his designee, to sign said Agreement which, upon completion, shall be submitted for approval and execution by the State Engineer.

PASSED, ADOPTED, AND APPROVED by the Arizona State Parks Board this 20th day of September 1991.



Ronald Pies, Chair

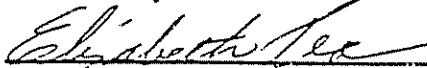
Attest:



My Commission Expires Jan. 25, 1995

Approved As To Form:

Reviewed by:



Elizabeth Tea, Secretary

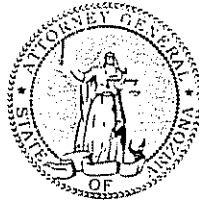
STATE OF ARIZONA

I, the undersigned, Kenneth E. Travous, being the duly appointed and qualified Executive Director of Arizona State Parks Board, certify that the foregoing copy of Resolution No. 114 passed and adopted at a regular meeting of the Arizona State Parks Board, held on the 20th day of September 1991 at which a quorum was present and voted in favor of said Resolution.

Given under my hand and seal this 20th day of September 1991.



Kenneth E. Travous
Executive Director



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

GRANT WOODS
ATTORNEY GENERAL

1275 WEST WASHINGTON. PHOENIX 85007

MAIN PHONE : 542-5025
TELECOPIER : 542-4085

March 4, 1992

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A. G. Contract No. KR92 - 0171-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement

DATED this 4th day of March, 1992.

GRANT WOODS
Attorney General

A handwritten signature in dark ink, appearing to read "James R. Redpath", is written over a horizontal line.

JAMES R. REDPATH
Assistant Attorney General
Transportation Section